

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**ASPEN SPECIALTY INSURANCE  
COMPANY,**

**Plaintiff,**

**v.**

**HOSPITALITY SUPPORTIVE SYSTEMS,  
LLC,  
EDWARD E. SNOW,  
THE CARMAN CORPORATION,  
SELECTIVE RISK MANAGEMENT, LLC,  
SELECTIVE LAW GROUP, LLC,  
TRIGEN INSURANCE SOLUTIONS,  
INC.,  
TRIGEN HOSPITALITY GROUP, INC.,  
PATRIOT UNDERWRITERS, INC.,  
PATRIOT NATIONAL, INC.,  
ABC CORPORATIONS 1-25,  
CHICKIE’S AND PETE’S, INC.,  
4010, INC.,  
PACKER CAFÉ, INC., trading as  
“CHICKIE’S & PETE’S,”  
4010, LLC  
POQUESSING MANAGEMENT, LLC  
POQUESSING PROFESSIONAL  
BUILDING, LLC,  
CPC INTERNATIONAL, LLC, trading as “  
PHILADELPHIA’S FAMOUS C&P,”  
WRIGHT FOOD SERVICES, LLC,  
CPC BUCKS, LLC,  
AUDUBON CPC, LLC,  
WARRINGTON CPC, LLC  
DREXEL HILL CPC, LLC,  
VENUE FOOD SERVICES, LLC  
CRABCO PA GP LLC,  
130 CRABCO REALTY NJ, LLC,  
130 CRABCO NJ, LLC, trading as “  
CHICKIE’S AND PETE’S,”  
EHT CRABCO NJ, LLC, trading as  
“CHICKIE’S AND PETE’S,”  
WW-CPC, LLC,  
OC-CPC, LLC,  
AC-CPC, LLC**

**CIVIL ACTION**

**NO. 16-1133**

**CRABCO ENTERPRISES, LLC  
CPC PROPERTIES, INC.,  
CRABCO ENTERPRISES PA LP, and  
PALMER SOCIAL CLUB, INC.,  
Defendants.**

**HOSPITALITY SUPPORTIVE SYSTEMS,  
LLC,**

**Plaintiff,**

**v.**

**ASPEN SPECIALTY INSURANCE  
COMPANY,**

**Defendant.**

### **ORDER**

**AND NOW**, this 17th day of August, 2018, upon consideration of Motion of Defendants Snow, Carman Corporation, Selective Group LLC and Selective Risk Management LLC to Dismiss Amended Complaint (Document No. 52, filed April 28, 2017), Plaintiff Aspen Specialty Insurance Company's Memorandum of Law in Opposition to the Motion to Dismiss Filed by Defendants Edward E. Snow, Carman Corporation, Selective Risk Management, LLC, and Selective Law Group, LLC (Document No. 63, filed August 14, 2017), and Reply Memorandum of Defendants Snow, Carman Corporation, Selective Law Group LLC and Selective Risk Management LLC in Support of Motion to Dismiss Amended Complaint (Document No. 65, filed August 28, 2017), for reasons stated in the accompanying Memorandum dated August 17, 2018, **IT IS ORDERED** that Motion of Defendants Snow, Carman Corporation, Selective Group LLC and Selective Risk Management LLC to Dismiss Amended Complaint is **GRANTED IN PART** and **DENIED IN PART**, as follows:

1. That part of defendants' Motion to Dismiss seeking dismissal of plaintiff's alter-ego liability claim in Count X of the Amended Complaint is **DENIED WITHOUT**

**PREJUDICE** to defendants' right to raise the alter-ego liability issues after the completion of discovery by motion for summary judgment and/or at trial;

2. That part of defendants' Motion to Dismiss seeking dismissal of plaintiff's negligence claim in Count XI of the Amended Complaint is **DENIED WITHOUT PREJUDICE** to defendants' right to raise the negligence issues after the completion of discovery by motion for summary judgment and/or at trial;
3. That part of defendants' Motion to Dismiss seeking dismissal of plaintiff's participation liability claim in Count XII of the Amended Complaint is **DENIED WITHOUT PREJUDICE** to defendants' right to raise the participation liability issues after the completion of discovery by motion for summary judgment and/or at trial;
4. That part of defendant's Motion to Dismiss seeking dismissal of plaintiff's claim for an accounting against Selective Risk Management, LLC and Selective Law Group, LLC in Count XIX of the Amended Complaint is **GRANTED WITHOUT PREJUDICE**.

**IT IS FURTHER ORDERED** that the caption of the case shall be amended to remove Selective Risk Management, LLC and Selective Law Group, LLC as defendants.

**BY THE COURT:**

/s/ **Hon. Jan E. DuBois**

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**DuBOIS, JAN E., J.**